

022004
13281 U.S. PTO

Patent
Attorney Docket No. 016800-666

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer Number 21839

22857 U.S. PTO
10/781651

022004

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of the following pending application, by the following named inventor(s):

Application No. 09/379,308 Filed: August 23, 1999

Title: HETEROCYCLIC BIARYL COMPOUNDS,
PHARMACEUTICAL AND COSMETIC COMPOSITIONS
CONTAINING THEM AND USES THEREOF

Inventor(s): Philippe DIAZ
Bruno CHARPENTIER

- ☐ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- ☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- ☒ Applicant(s) suggests Figure 1 for inclusion on the front page of the patent application publication and patent.
- ☒ Applicant(s) requests that the published application include the following assignment information:
CENTRE INTERNATIONAL DE RECHERCHES DERMATOLOGIQUES GALDERMA (C.I.R.D.
GALDERMA)

1. ☐ Enclosed is a copy of the prior Application No. _____ as originally filed on _____, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☒ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☐ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment.

CLAIMS					
	No. of Claims		Extra Claims	Rate	Fee
Basic Application Fee (1001)					\$ 770.00
Total Claims	15	MINUS 20 =	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims	3	MINUS 3 =	0	x \$86.00 (1201) =	\$ 0.00
If multiple dependent claims are presented, add \$290.00 (1203)					
Total Application Fee					\$ 770.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Application Fee					\$ 0.00
Add Assignment Recording Fee of \$40.00 (8021) if Assignment document is enclosed.					
TOTAL APPLICATION FEE DUE					\$ 770.00

5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
7. ☒ A check in the amount of \$ 770.00 is enclosed for the fee due.
8. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
9. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
10. ☒ New drawings are enclosed.
11. ☒ Applicant(s) claims priority under 35 U.S.C. § 119 of the following application(s):

Country	Application No.	Filing Date MM-DD-YYYY
France	96/01424	February 06, 1996

- ☒ The certified copy of the priority application
☐ is enclosed.
☒ was filed on _____ in prior Application No. 08/930,796, filed on November 24, 1997, and acknowledged by the Examiner on May 27, 1999 in Paper No. 16.
☐ has not yet been filed.
12. ☐ A preliminary amendment is enclosed.
13. ☒ An Information Disclosure Statement is enclosed.
14. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
15. ☒ Also enclosed is PTO-1449, Letter Accompanying Filing of Continuation Application.

16. ☒ The power of attorney in the prior application is to Norman H. Stepno and all partners of Burns, Doane, Swecker & Mathis, L.L.P.
a. ☒ The power appears in the original papers in the prior application.
b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. ☐ Recognize as Associate Attorney _____
d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)
Burns, Doane, Swecker & Mathis, L.L.P.
Customer Number **2 1 8 3 9**
P.O. Box 1404
Alexandria, Virginia 22313-1404

February 20, 2004
Date

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

Address of signator:

Burns, Doane, Swecker & Mathis, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
☐ assignee of complete interest
☐ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP PATENT APPLICATION
)	
Philippe DIAZ et al.)	Group Art Unit:
)	
Application No.:)	Examiner:
)	
Filed: February 20, 2004)	Confirmation No.:
)	
For: HETEROCYCLIC BIARYL COMPOUNDS,)	37 C.F.R. § 1.53(b)
PHARMACEUTICAL AND COSMETIC)	Continuation of Appln. No. 09/379,308,
COMPOSITIONS CONTAINING THEM AND))	Filed August 23, 1999
USES THEREOF)	

LETTER ACCOMPANYING FILING OF CONTINUATION APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The accompanying continuation application is being filed with a revised specification and claims. No new matter has been added.

The specification has been revised to include a complete cross-reference to the earlier applications. The specification has also been revised to comply with current U.S. practice regarding paragraph numbering and the clarity of print required for publication.

The claims are drawn to a method for the treatment of psoriasis, dermatitis, acne or seborrhea (e.g. Claim 1) or to a method for treatment of signs of light-induced or chronological aging of the skin (e.g. Claim 10) or a method for promoting hair regrowth/treating hair loss (e.g. Claim 13); the methods comprise administering at least one of the specific compounds named in the application. The claims are enabled not only by statements made throughout the specification, but also by the synthetic Examples in which the preparation of the specific compounds is described and also by the numerous formulation Examples which describe preparation of various compositions containing a variety of specific compounds and instructions for use in the claimed methods. The compounds of Claims 1 and 10 not specifically mentioned in the formulation Examples are very closely related

Letter Accompanying Filing Of Continuation Application

Application No.

Attorney's Docket No. 016800-666

Page 2

structurally to those illustrated. Thus, the specification clearly enables one of ordinary skill to make and use the invention as claimed in the accompanying claims.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: February 20, 2004

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620